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CRIMINAL AND JUVENILE JUSTICE PLANNING  
AND STATISTICAL ANALYSIS CENTER  
PAUL STAGEBERG, Ph.D, ADMINISTRATOR

## **SEX OFFENDER RESEARCH COUNCIL MEETING AGENDA**

Conference Room #125  
Department of Public Safety  
215 East 7<sup>th</sup> Street  
Des Moines, IA

October 28, 2009  
10:00 am to 2:00 pm

- Present:** Jerry Bartruff; Mia Gehringer for Marilyn Lantz; Sen. Keith Kreiman; LeRoy Kunde; Binnie LeHew; Thomas H. Miller; Ron Mullen; James Saunders; Jason Smith; Mark Smith; Ben Stone
- Staff:** Preston Daniels; Paul Stageberg; Phyllis Blood; Julie Rinker-Lind
- Guests:** Eleena Mitchell-Sadler; Ron Rowland; Tony Phillips; Burt Aunan; Anna Hyatt-Crozier; Gerard Meyers; Kevin Winker
- Absent:** Beth Barnhill; Marilyn Lantz; Karen Muelhaupt; Rep. Ray Zirkelbach

### **I. Welcome and Introductions**

Paul Stageberg called the meeting to order at 10:06 a.m. and welcomed those in attendance. Introductions were made.

James Saunders moved to approve the minutes, seconded by Ron Mullen. The motion carried.

James Saunders moved to amend the agenda to allow a presentation by the Ombudsman's Office, seconded by Ron Mullen. The motion carried.

### **II. Internet Enticement, Department of Public Safety**

Gerard Meyers provided information regarding the Cyber-Crime Unit within the Iowa Division of Criminal Investigation and the Iowa Internet Crimes Against Children Task Force that formed in 2004. The Task Force is funded through the Office of Juvenile Justice and Delinquency Prevention.

Meyers reviewed trends and law enforcement challenges surrounding online predators. He noted specific problems regarding the pace of advancements in technology, and issues related to child pornography, human trafficking, social networking web sites, and peer-to-peer networks.

### **III. Earned Time, Citizens' Aide/Ombudsman's Office**

Ron Rowland, Citizens' Aide/Ombudsman's Office, discussed concerns surrounding Iowa Code 903A,2 regarding earned time for sex offenders. The concerns arose during investigations into citizen complaints.

He stated the Office feels that the language is ambiguous. The Office has consulted the lead sponsor of the legislation regarding intent and feels that the information may need to be brought to the attention of the Legislature. The purpose of the presentation was to advise the Council of the concerns.

Senator Kreiman moved that the sentence for special sentence revocation at the mandatory minimum two-year be interpreted as eligible for early release to regular parole or work release for a portion of the two-year sentence. Incarceration for the entire time is not required, but earned time does not apply. The motion was seconded by Mark Smith and carried unanimously.

Stageberg thanked the Ombudsman's Office for bringing the issue to the Council's attention.

### **IV. Report to the Legislature, January 2010**

Phyllis Blood reviewed issues identified during the previous meeting to be considered for inclusion in the report to the Legislature.

There was consensus that the following information would be included in the report:

#### **Juveniles and New Registration Requirements**

The Council discussed that juveniles on lifetime registration bog down the system. After discussion, the Council recommended changing the registration requirement from life to 10 years for violations of sex abuse 3<sup>rd</sup> (Romeo/Juliet) – Iowa Code Chapter 709.4 (2c.4).

Blood will change Section II to reflect the new requirements and the proposed change in terms of registration length. Comments will address changes made last Session due to the Adam Walsh Act (AWA) and reference national studies regarding issues surrounding mandatory registration for juveniles.

The Council briefly recessed for lunch.

#### **Special Sentences**

Blood noted that caseloads will continue to increase for the next 25 years until leveling out due to death or other circumstances.

The Council agreed to include references to literature on evidence-based sex offender management and urge the Legislature to consider the information.

Further discussion included ways to demonstrate savings with regard to current and future budgets. The Council noted that as some offenders age, the tendency to recidivate may reduce. Resources should focus on those most likely to reoffend and include assessment tools and flexibility when dealing with offenders.

Other considerations include a review of offenders on the special sentence who could be on electronic monitoring. Discussion included the differences in Iowa Code 692.A and 903.B and the need for lifetime parole and 10-year registration. Cost issues should be included in the report.

### **Enticement**

Blood stated that last year there was a bill to do away with attempt to entice and making it the same as enticement.

The Council discussed the issue, and while was not prepared to make a recommendation, felt that further discussion was necessary.

### **Prevention**

Blood discussed Iowa Code 256.9, 54.a, which requires the Department of Education to prepare and distribute examples of age-appropriate information and resources that parents may use when teaching children how to recognize sexual abuse. Binnie LeHew noted that the Department of Education has updated their resource booklet including web pages and other documents regarding cyber crime and cyber bullying.

LeHew provided an overview regarding the histories and purposes of the "Iowa Coalition Against Sexual Assault" and "Prevent Child Abuse Iowa". Programming by both entities focuses on preventing sexual abuse and adult education strategies. Some programming emphasizes healthy sexuality as a piece of prevention.

LeHew discussed phone hotlines in Vermont, Minnesota, and Virginia that are designed to encourage abusers or potential abusers to call for assistance.

LeHew noted the changes in education that in the past primarily focused on human anatomy, then abstinence only, and now a more comprehensive healthy development and education.

It was agreed that LeHew will work with Blood regarding the portion of the report on prevention.

### **V. Next Meeting**

While no official meeting date was determined, the next meeting will be held following the 2010 Legislative Session.

### **VI. Adjournment**

The meeting adjourned at 1:22 p.m.

Respectfully submitted,



Julie Rinker-Lind  
Administrative Secretary